

The Newport Musical Arts Association has been in contact with the FCC in regarding the EAS requirement for LPFM stations. We requested a waiver from Bonnie Gay at the FCC on the grounds that as an LPFM station we are only required to "decode" while current equipment available is approximately \$1,600.00 USD for a encoder/decoder. As a start-up LPFM station funded exclusively by the Board of Directors, our budget is very limited. We are requesting a temporary waiver of the EAS requirement until the FCC decides how to address this issue. WXHQ 105.9-LP pledges to monitor the frequency of Rhode Island's EAS station (105.1 "Lite FM") and shut down our transmitter in the event of a national emergency/ EAS warning. I have included email correspondence with the FCC on this issue.

From :
"Bonnie Gay" <BGAY@fcc.gov>

To :
<FINGAS3@aol.com>

Subject :
Re: WXHQ 105.9 LP-request for temporary waiver of EAS requirement

Date :
Fri, 07 Dec 2001 15:49:53 -0500

Attachment : EASPublicNotice.doc (172k)

Dear Steve,
I apologize for the delay in getting back to you. The Commission has issued the attached public notice seeking comments on the use of non-certified EAS decoders at LPFM stations.

>>> <FINGAS3@aol.com> 11/14/01 12:37PM >>>
Dear Bonnie,

The Newport Musical Arts Association Is ready to install and test our transmitter. We are requesting a temporary waiver of the EAS requirement due to the unavailability of Decoder only equipment. As you know, we are only required to decode EAS, yet there are only decoder/encoder units commercially available.

We are capable of monitoring our local EAS station (105.1FM) whenever we are broadcasting. Our operators can monitor for the EAS tone and shut down the transmitter immediately following a national EAS alert. This written waiver from your office will allow us to commence broadcasting. Any assistance from your office will be greatly appreciated. Our mailing Address is :

WXHQ 105.9LP

C/O

Newport Musical Arts Association

PO Box 3541

Newport, Rhode Island

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Web site: www.radionewport.org

Best Regards,
Steve Cerilli